

Message Text

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INFO OCT-01 ISO-00 /001 R

DRAFTED BY ARA/PAN:SMOREYBELL:JVC

APPROVED BY ARA:WDROGERS

S/AB:EBUNKER (DRAFT)

S/S-JPMOFFAT

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TO USDEL SECRETARY IMMEDIATE

SECRET STATE 179096 TOSEC 080145

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-STADIS-//////////

E.O. 11652: GDS

TAGS: PFOR, PN

SUBJECT: ACTION MEMORANDUM: PANAMA-- PROPOSAL FOR

MESSAGE TO TORRIJOS (S/S NO.7515366)

REF: SECTO 8051

FOR THE SECRETARY FROM ROGERS

1. DISCUSSION:

A. CLEARLY, IF WE COULD TELL THE PANAMANIANS THAT THE NEGOTIATIONS WOULD BE RESUMED BY PRESIDENTIAL DECISION, AND COULD GIVE THEM A DATE FOR BUNKER'S RETURN, THIS WOULD BE VERY MUCH TO THE GOOD.

B. SUCH A MESSAGE MIGHT WELL FORECLOSE TORRIJOS' RECALL OF HIS AMBASSADOR TO WASHINGTON. WE HAVE BEEN CONCERNED THAT A RECALL BEFORE THE VOTE ON THE BYRD AMENDMENT WOULD BE DAMAGING, BUT HAD HOPED THAT THE DAMAGE WOULD BE MORE LIMITED IF THE RECALL SURFACED AFTER THE VOTE. A FEW HOURS AGO, SENATE DEBATE AND VOTE ON THE AMENDMENT WAS PUT OVER UNTIL AFTER THE RECESS, UNDER

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THREAT OF A FILIBUSTER BY BYRD. OUR LAST HEADCOUNT HAD

INDICATED THAT THE AMENDMENT WOULD BE DEFEATED IF THE VOTE HAD BEEN TAKEN TODAY, PERHAPS BY A QUITE SIZEABLE MAJORITY. CONGRESSIONAL CONSIDERATION OF THE MATTER SHOULD NOT INTERFERE, AS YOU SAID IN EFFECT IN MINNEAPOLIS, IN THE EXECUTIVE'S CONTINUING DISCHARGE OF ITS TREATY-MAKING

RESPONSIBILITIES. BUT AS LONG AS THE BYRD AMENDMENT HANGS OVER US LIKE THE SWORD OF DAMOCLES, WE SHOULD MAKE SPECIAL EFFORTS TO AVOID THE RECALL. WHILE THE IMPACT ON OUR CONGRESS OF A RECALL COULD BE SHARP AND ADVERSE, THE EFFECT ON THE NEGOTIATIONS AND ON THE INTERNATIONAL CLIMATE COULD BE MORE SO. A RECALL WOULD BE ONE SHORT STEP AWAY FROM BREAKING RELATIONS ALTOGETHER, AND AS SUCH COULD NOT HELP BUT POISON THE NEGOTIATING ATMOSPHERE WHICH OUR NEGOTIATORS HAVE SO CAREFULLY CREATED. THIS IS THE SECOND CONSIDERATION IN FAVOR OF A MESSAGE THAT THE NEGOTIATIONS WILL BE DEFINITELY RESUMED.

C. A MESSAGE TO TORRIJOS TO THAT EFFECT IS NOW WARRANTED FOR WE HAVE SUCCEEDED IN HAMMERING OUT THE AGREED POSITION YOU HAD ASKED US TO WORK TOWARDS. THE DEFENSE DEPARTMENT HAS JUST PRODUCED A MEASURE OF QUOTE IMPROVEMENT UNQUOTE IN THE LAND/WATER POSITION WHICH, WHILE NOT SATISFACTORY TO US, BUNKER IS WILLING TO TRY OUT ON THE PANAMANIANS. STATE AND DEFENSE HAVE ALSO AGREED ON A POSITION FOR THE DURATION ISSUE (40 YEARS MINIMUM FOR DEFENSE, 20 MINIMUM FOR OPERATION), AS WELL AS ON A PROLONGATION OF THE NEGOTIATIONS TO MINIMIZE THE INTRUSION OF THE PANAMA PROBLEM INTO OUR DOMESTIC POLITICAL PROCESS NEXT YEAR. THUS NO QUOTE DIFFERENCES UNQUOTE EXIST BETWEEN THE TWO DEPARTMENTS TO IMPEDE THE RESUMPTION OF NEGOTIATIONS.

D. BELIEVE WE SHOULD ALLOW BILL JORDEN TO CONVEY THE MESSAGE TO TORRIJOS ORALLY ON THE PRESIDENT'S BEHALF.

2. RECOMMENDATION: THAT YOU AUTHORIZE ME TO INSTRUCT JORDEN TO DELIVER A MESSAGE TO TORRIJOS AT THE EARLIEST POSSIBLE OPPORTUNITY WITH THE FOLLOWING POINTS:

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(A) THE UNITED STATES NEGOTIATORS HAVE NOW VIRTUALLY COMPLETED THE CONSULTATIONS WITHIN THE EXECUTIVE BRANCH WHICH ARE REQUIRED IN ANY NEGOTIATION AS COMPLEX AND IMPORTANT AS THE PANAMA-UNITED STATES ONE.

(B) THE PRESIDENT, ACCORDINGLY, HAS AUTHORIZED THE NEGOTIATORS TO RESUME THEIR TASK WITH THEIR PANAMANIAN COUNTERPARTS, AND THEY PLAN TO RETURN TO PANAMA ON

SEPTEMBER 4, IF THAT IS CONVENIENT TO PANAMA.

(C) THE PRESIDENT INTENDS THAT, FOR THE UNITED STATES' PART, THE NEGOTIATIONS PROCEED IN A SERIOUS MANNER TO A SATISFACTORY CONCLUSION.

(D) THE PRESIDENT ASKS THAT HIS DECISION IN THIS MATTER REMAIN A PRIVILEGED MATTER BETWEEN THEM FOR THE TIME BEING. WE TENTATIVELY BELIEVE THIS CAN BE MADE PUBLIC, IF GENERAL TORRIJOS WOULD PREFER TO DO SO ANYTIME AFTER AUGUST 8.

APPROVE DISAPPROVE

CLEARANCE: S/AB - AMB. BUNKER (DRAFT) INGERSOLL

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NNN

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